

PHILLIP TRUJILLO

ATTORNEY AT LAW, P.A.

239 Oñate N.W.

Espanola, New Mexico 87532

Telephone 505-753-7172
1-800-826-5407

June 18, 1987

G. C. Shaw, Engineer Tech III
Water Rights Division
State Engineer Office
P. O. Drawer 1388
Santa Fe, New Mexico 87504-1388

Re: (Eleonor) Leonor Serrano - Change of Ownership of Water Right
Jose L. Martinez - Change of Ownership of Water Right

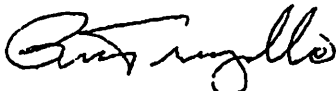
Dear Mr. Reynolds:

A problem has arisen concerning the properties of Eleonor Serrano and Jose L. Martinez as a result of Corlinda Lujan not allowing the water to pass to their property for irrigation purposes. According to the Change of Ownership of Water Right, enclosed herewith, the Martinez and Serranos have water rights for the property they desire to irrigate. Mrs. Lujan does not let the water pass and uses the authority of Rio Arriba County Court Cause No. 4922, a copy of which is also enclosed.

If you would review the matter for us, and give us an opinion as to whether the Martinez and Serranos have a right to irrigate their land, it may avoid litigation in District Court.

Thank you for your cooperation in this matter.

Sincerely,



Phillip Trujillo

PT:eeg

- enc: 1. Copy of Leonor Serrano - Change of Ownership of Water Right
2. Copy of Jose L. Martinez - Change of Ownership of Water Right
3. Copy of Rio Arriba County Court Cause No. 4922

xc: Ms. Eleonor Serrano
Mr. Jose L. Martinez

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STATE OF NEW MEXICO

STATE ENGINEER OFFICE

SANTA FE

S. E. REYNOLDS
STATE ENGINEER

BATAAN MEMORIAL BUILDING
STATE CAPITOL
SANTA FE, NEW MEXICO 87503

July 1, 1987

Phillip Trujillo
239 Oate, N.W.
Espanola, New Mexico 87532

Dear Mr. Trujillo:

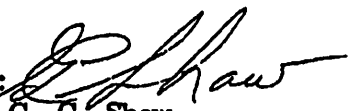
The records of the State Engineer Office regarding the acreage as described on Warranty Deed, Anton R. Martinez grants to Leonor Serrano, and survey plat by J. C. Lujan P.E. & L.S. Lic. #5322, submitted to this office with Change of Ownership of Water Right on July 27, 1984, indicate that there are approximately 0.7 acres of land with Water Rights which is served by the Acequia Mesa del Medio No. 1.

The records also indicate Jose L. Martinez, owns 19.5 acres of land with water rights.

Since this land was adjudicated under and is served by the Acequia Mesa del Medio No. 1, the administration and distribution of the waters of this ditch are the powers and duties of the Ditch Commissioners and Mayordomo (73-2-21 N.M.S.A.).

Sincerely,

S. E. Reynolds
State Engineer

By: 
G. C. Shaw
Engineer Tech III
Water Rights Division

GCS:rav

Mailing Address _____
 City and State 84 JUL 2 PM 4 13
 the owner and holder of a water right set forth in file number 080
 of record in the office of the State Engineer has conveyed part of said right to:
 (all or part)
 Name Jose L. Martinez
 Mailing Address Post Office Box 29
 City and State Gallina, New Mexico 87017

2. IRRIGATION: The conveyed water right is appurtenant to lands described as follows (describe only lands with actual water right and diversion as that amount of water measured at the well and/or farm headgate):

SUBDIVISION (District or Hydrographic Survey)	SECTION	TOWNSHIP (Map No.)	RANGE (Tract No.)	ACREAGE	DIVERSION (Acre Feet Per Annum)	PRIORITY
<u>N2</u>	<u>14</u>	<u>22N</u>	<u>2E</u>	<u>19.5</u>	<u>1.5</u>	<u>1880</u>
<u>Part of the 42.2 acres decreed</u>						
<u>to Jose O. & Corlinda Lujan</u>						
<u>in Cause No. 4922, Rio Arriba</u>						
<u>County</u>						
TOTAL				<u>19.5</u>	<u>29.25</u>	

OTHER: Purpose _____ ; Amount _____ (acre feet per annum of diversion); Priority _____

3. DESIGNATE WELLS TO ACCOMPANY THE CONVEYED RIGHT: (To be executed if conveyance involves only a part of a ground water right):

WELL FILE NO.	SUBDIVISION (District or Hydrographic Survey)	SECTION	TOWNSHIP (Map No.)	RANGE (Tract No.)
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

4. I HEREBY CONSENT TO A LAWFUL CHANGE IN THE PLACE AND/OR PURPOSE OF USE OF THE ABOVE-DESCRIBED WATER RIGHT: (To be executed if water right described above is a right for irrigation purposes and has been conveyed separate from the land to which it is appurtenant.)

The undersigned, being first duly sworn upon oath, deposes and says that he has read the foregoing statements and that the same are true to the best of his knowledge and belief.



OFFICIAL SEAL

KAREN B. HESSINGER

NOTARY PUBLIC-STATE OF NEW MEXICO

My Commission Expires 6-15-85

Subscribed and sworn to before me this 2nd day of July, A. D., 19 84

My commission expires: June 15, 1985 Karen B. Hessinger Notary Public

INSTRUCTIONS

Change of ownership shall be filed in triplicate and executed either by conveyor (seller) or by the new owner and shall be accompanied by a filing fee of \$1.00. If executed by the new owner it shall be accompanied by a certified copy of the deed or other instrument of conveyance.

FOR STATE ENGINEER USE ONLY